p11

C.F. 71

1936

Department of Revenue

OFFICE Bd of Rev

STATION Madras

Mis No. 615

Dated 20.2.36

U. 2654/3

Pages in the file cf 18 nil

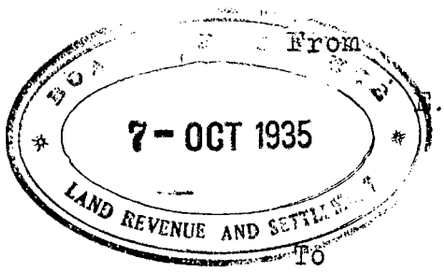
(SUBJECT.)

Mining leases - corundum - (S. Kanara
Puttur Tk - Uppinangadi etc vgs - Basta
Shridar Shenoy Mr - Draft lease deed
Appd.

RP 169 K 2694

Ref.2768-35-A5.

South Kanara Collector's Office,
Mangalore, 2nd October 1935.



From

E. M. Gawne, Esquire, I.C.S.,
Collector of South Kanara.

To

The Secretary to the Board,
Land Revenue & Settlement,
M a d r a s.

Sir,

Mining leases - corundum - (South Kanara) - Puttur Taluk - Uppinangadi etc, villages - Basti Shridar Shenoy Mr. - draft lease deed - submitted for approval.

B.P.Mis.2983, dated 8th August 1935.

A draft lease deed in the printed form with corrections typed is submitted.

Part V - clause 2.- The royalty for the term of the lease may be fixed on the tariff valuation fixed for the current year. The rate has been left to be entered, after it is fixed by the Board.

Clause 3.- The lands proposed to be leased out, bear two different rates of assessment (6 as. and 8 as. an acre). The higher rate of as. 8 an acre per annum may be fixed as the rate of surface rent.

Part VI - clause 3.- The sale value is the tariff value referred to in clause 2 under part V. The rate has been left to be entered after it is fixed by the Board.

2. The petitioner has deposited a sum of Rs.50/- against the scrutiny of the lease by the Government Solicitor, Madras. The actual fee charged may be intimated, so that the excess if any, may be refunded to him.

3. The sketches and the subdivision statements of the

A. S. (Sett)

3

16-1-36 O.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT:— Mining leases - Corundum - (S. Kanara) Puttur Tq - Application - Sadashivaya - Basti Shridar Shenoy Mrs - Draft lease deed.

READ AGAIN _____, dated _____ 19____.

" " _____ " N.G. 19____

READ ALSO:—

p/1-2 cf No. K.2654 From the Q _____, No. _____, dated _____ 19____.

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Order / Resolution Reject / Rout. Mrs. No. K.2654/35, dated 14 Dec - 1935.

N.G. 4-12-35

SO 9-1-36

9/1

p 7 (D)

p 4 (B)

p 8 of the Mining Manual

With reference to the rate of royalty to be fixed on the mineral the attention of the Collr is invited to the note under Schedule A at page 25 of the Mining Rules published in 1915 & he is requested to report in consultation with the Director of Industries the value of Corundum which is available in the lands leased out to the applicant.

2. The half-yearly dead rent payable on the lease has been entered as Rs 44/- in clause 1 of Part V of the lease deed. The attention of the Collr is invited to item (2) in Schedule C at page 86 of the Madras Mining Manual under which the

minimum dead rent payable on this lease is Re 1/- per acre & the area covered by the lease is 61.87 acres, the dead rent payable on it is Rs 61-4=0 per annum & not Rs 28 as fixed by the Colls. The Colls is requested to enter the correct amount of dead rent in clause 1 of Part V of the lease deed. p2 (B)

3. The Colls has prepared the draft lease deed in the form of the lease printed in 1919. It is not in conformity with the standard form of lease printed at pages 128 & 153 of the Madras Mining Manual in respect of clause 1 of Part IV, & clauses 2 & 3 of Part VII, p4 (B) Vide top of page 1 (B) p3 (B) p5 (B)

4. The Colls has deleted a major portion of clause 18(a) & the whole of clause 19 of Part VII of the lease deed. The lessee may form a Company at any time during the period of the lease & the provisions of these clauses will have to be enforced then. If they are deleted now, they cannot be inserted afterwards & the Govt will not be in a position to make the lessee observe them. To avoid such a p7-c (B) p8 (B)

contingency the Board considers that both the clauses referred to ~~above~~ above should remain in the lease deed with the necessary verbal alterations.

5. The amendment inserted in clause 2 of Part IX by Correction slip no. XIII dt. 19-10-32 has not been embodied in full in clause 2 of Part IX of the draft lease deed submitted by the Coll. It should be incorporated in full in this clause in view of the instructions in para 4 supra.

6. The Coll is requested to submit a revised draft lease deed prepared in the proper form on the lines indicated in paras 2 to 5 supra.

12/1 12/1/35 12/1/35

p 147 of the Mining Manual. 9 (B)

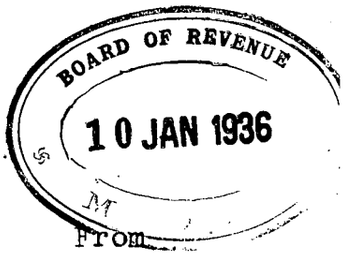
To the Coll by S. Manager with the draft lease deed & its enclosures returned.

15/10

Ref. 2768-35-A5.

7

RR 68 2654 K(77)



South Kanara Collector's Office,
Mangalore, dated 7th January 1936.

18/1/36

From

E. M. Gawne, Esq, I.C.S.,
Collector of South Kanara.

To

The Secretary to the
Board of Revenue,
Madras.

Sir,

Mining leases--Corundum--South Kanara--Puttur Taluk--Uppinangady etc. villages--Basti Shridar Shenoy Mr.--Draft lease deed--submitted.

pp3 & 5 ante Ref:- Board's reference K. No. 2694-35-1 dated 14th October 1935.

p3 ante Para 1 of the reference:-

p37 (A) p41 (A) The Director of Geological Survey of India has opined in his letter No. 2191/1484 dated 6th April 1935 (copy of which was communicated to me in Board's reference No. K. 2435-34-5 dated 1st May 1935) that the deposit of corundum on the plots is apparently unimportant. Corundum is non-precious. The Director of Industries whom I addressed, has not intimated the value of corundum available in the plots. Evidently because it is impracticable to do so. He suggests after consulting the Director of Geological Survey of India, that royalty may be charged at the rate of 2½% of the value at the pit mouth and that a stipulation be made in the lease that the rate is liable to be converted at the option of the Local Government to an equivalent charge per ton to be fixed annually or for a term of years. This seems a reasonable proposal.

pp3-5 ante Paras 2 to 6 of the reference:-

The revised form of the lease has not been supplied to my

office. A draft lease deed in the available printed form with the corrections typed is submitted with the sketches and the sub division statements of the plots.

Your obedient servant,

Collector.

A.S. (Sett)

9

S.F.16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying		
When copied	27/1	
When examined	27/1	
When signed		
When despatched	29/1	

SUBJECT:- Mining leases – Corundum – (S. Kanara) – Puttur Tk – Uppinangadi etc vgs – Basti Shridhar Shenoy Mr – Draft lease deed

READ AGAIN _____, dated N.I. 19__

" " " " " 19__

READ ALSO:-

pl cf No. K.2654/35 From the _____, No. _____, dated 19__

ph 3-4 " rejected 2654/35-1 dt. 4-7-35 B. _____ " 19__

pl cf 4 7 7/36 _____ " " 19__

Order. Resolution / Ms. Rout. No. K.2654/35-2, dated 27-1-1936

para 3 @ p 19 (C)

The Board has sanctioned the grant of a mining lease for Corundum to Mr. Basti Shridhar Shenoy of Uppinangadi village for a period of three years over an extent of 61.87 acres of land in S.no 49/B of Uppinangadi, S.nos 73/2B and 102/1 of Hirebandadi and S.nos 245/B and 252/A of Bajathur in Puttur taluk, S. Kanara dt. A draft of the lease deed to be executed by the lessee is forwarded to the Govt Solr. for adres, for scrutiny and early return.

Ms 27/1/36

(B)

Ir

18/1/36 20/1/36

To the Govt Solicitor, Madras with the draft lease deed, to be returned

Note Mr. Basti's proposal about the

pl cf

or send by letter

rate of Royalty Blue fixed in this case will be noted and submitted for orders along with the amendments that may be suggested by the Govt. Solicitor in the draft lease deed, as soon as the Govt Solicitor's reply letter dated overleaf is received.

18/1

18/1/36.
20

20/1/36

G.F. 32.

11 DEPARTMENT.

In reply, please quote number, date and short title.*

Received *Registered* 2694.

4(276)

From (Name) H.M. Small Esq., M.A., LL.B.,

(Designation) Government Solicitor,

Post Box , (STATION) Madras.

Telegraphic Address

BOARD OF REVENUE 3-FEB 1936 MADRAS

To.

The Secretary to the Commissioner
of Land Revenue & Settlement,
M a d r a s.

No. 297. , *dated* 1st Febry. 1936.

Sir,

* Mining leases - Corundum - (South Kanara) - Puttur taluk - Uppinangadi etc. villages - Basti Shridar Shenoy Mr. - Draft lease deed.

ENCLOSURES

SPARE COPIES

Pp 9-30 and (B)

I have the honour to acknowledge receipt of your Memorandum Ref.K.No.2694/35-2 dated the 23rd January 1936 with the enclosed draft lease deed.

2. I have perused the draft and subject to the amendments therein in red ink the same is in order.

3. I return herewith the draft lease deed sent to me.

CG/RV Cl.

I have the honour to be,

Sir,

Your obedient servant,

H.M. Small

Government Solicitor.

C.F. 32 (a).

In reply, please quote number, date and short title.*

BOARD OF REVENUE 5-FEB 1936 MADRAS

13

K 299 2674

.....DEPARTMENT.

Received ..... *Registered* .....

From (Name) H.M. Small Esq., M.A., LL.B.,

(Designation) Government Solicitor,

Post Box ....., (Station) Madras.

Telegraphic Address .....

To

The Commissioner of Land Revenue
and Settlement,
M a d r a s.

No. 339, *dated* 4th Febry. *19*36

Sir,

* Mining lease to Mr.Basti Shridar Shenoy.

I have the honour to enclose herewith a note of my charges in the above matter amounting to Rs.50/- which sum I shall be obliged by your collecting from the above party and remitting me in due course.

ENCLOSURES.....

.....

.....

SPARE COPIES....

RV

I have the honour to be,
Sir,
Your obedient servant,
H.M. Small
Government Solicitor.

DRAFT FOR APPROVAL.

17 C.F. 16.

	Date:	Initials.
When received for fair copying ..		
When copied ..		
When examined ..		
When signed ..		
When despatched.		

SUBJECT:— Mining leases – Corundum – (S. Kanara) – Puttur Tq. – Applications – Basti. Shridar Shenoy Mr. – Draft lease deed – Approved.

READ AGAIN ..... dated N.L. 19....

" " ..... " ..... 19....

READ ALSO:—

p1 of No. K.2654/35 From the ....., No....., dated..... 19....

p3 of Appl. K.2654/35 – 9 Mi. Cs. 25.

p7 of " U.77 " " " " 19....

p8 of " Appl. U.2654-35-2 Pds. 1.36

p11 of " U.96 " " " " 19....

p13 of " U.995 " " " " 19....

~~Order~~ / Resolution ~~Ms.~~ / ~~Rout.~~ No. 615, dated 20.2.1936

The draft lease deed submitted by the Colr is approved as amended by the Govt Solicitor.

2. The Colr's proposal in para 1 of his letter Rep no 2768-35-A5 dated 7-1-36 read above about the rate of royalty leviable on the mineral is also approved.

p7 of

3. The Colr is requested to send direct to the Govt Solicitor, Madras, the fee of Rs 50/- due to him for the scrutiny of the draft lease deed.

20/1/36

19/2

19/2/36

To the Colr of S. Kanara with the draft lease deed – W 25/2/36

To the Govt Solicitor, Madras para 3 cmd

M3
~~J.S.~~
A.S.(Cfa)

Note file

Mining leases - Corundum - (S. Kanara) - Sutturu TH - Uppinangadi etc. vgs - Basti Shridhara Shenoy Mrs - Draft lease deed.

pp1-2 cf — K.2694/35

pp3-5 cf — Ref K.2694/35-1 of 14.X.35

pp7-8 cf — K.77/36

p9 cf — Ref K.2694/35-2 of 23.1-36

p11 cf — K.276/36

p13 cf — K.295/36.

The Asst Secy.

p1 cf — In October last the Colr submitted

a draft lease deed for the approval of the Board as

p19 (C) — required in para 4 of B.P. Mis no 2583 of 8-8-35. As

pp3-5 cf — it was not in the proper form, he was asked to

submit a revised draft prepared on the lines

indicated in the Board's Refce at pp3 to 5 cf. He has

(B) — submitted a revised draft lease deed in the proper

form. The Asst Solicitor, who has perused it, says

p11 cf — that it is in order subject to the amendments

made by him therein in red ink. The amendments

pp1-9 (B) — made by him in it are mere verbal alterations.

The draft lease deed may be approved as amended

by the Asst Solicitor.

As regards the rate of royalty to be

levied on the mineral in question, viz., Corundum,

it is submitted that the mineral should be

treated as a precious stone in cases where its value exceeds

Rs 750/- a ton & royalty assessed ~~at three times the rates~~ may be levied on it at

Vide s. 11 under Schedule I Act
p25 (D)

30 % on the net profits of each year taken separately. In other cases the mineral should be included in "other minerals", the royalty on which is 2½ % on the sale value at the pit's mouth, or on the surface, of the dressed ore or metal, convertible at the option of the local Govt to an equivalent charge per ton to be fixed annually or for a term. In the present case the Collr states that the mineral is non-precious and that the Director of Industries suggests in consultation with the Dir, Geological Survey of India, that royalty may be charged at the rate of 2½ % of the sale value at the pit's mouth & that a stipulation may be made in the lease that the rate is liable to be converted at the option of the local Govt to an equivalent charge per ton to be fixed annually or for a term of years. This suggestion is in accordance with the rules & may be approved.

The lessee has paid the fee of Rs 50/- due to the Govt Solicitor for the scrutiny of the draft lease deed. The Collr may be asked to send it direct to the Govt Solicitor.

14.2.36 12/2

13/2/36

T.S. 14.2.

M.3.

A.S (Retd)

To A.S. (Retd)

Draft submitted

19/2 20/2/36

29/2/36